

Rory T. Kay (NSBN 12416)
 John A. Fortin (NSBN 15221)
 McDONALD CARANO LLP
 2300 West Sahara Avenue, Suite 1200
 Las Vegas, Nevada 89102
 Telephone: (702) 873-4100
 rkay@mcdonaldcarano.com
 jfortin@mcdonaldcarano.com

*Attorneys for Defendants Frank Petosa,
 Ryan Hogan, and Michael Woodside*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MELISSA HUTCHISON aka PHOENIX
 MARIE, an individual,

Plaintiffs,

vs.

ETHICAL CAPITAL PARTNERS, a foreign
 entity; AYLO PREMIUM LTD., a foreign
 corporation; DM PRODUCTIONS, a foreign
 entity; DIGITAL PLAYGROUND, a foreign
 entity; MIND GEEK USA
 INCORPORATED, a foreign entity; MG
 PREMIUM LTD, a foreign entity; DM
 PRODUCTIONS, a foreign entity; DIGITAL
 PLAYGROUND, a foreign entity; DANNY
 MARTIN aka DANNY D, an individual;
 FRANK PETOSA an individual; RYAN
 HOGAN, an individual; MICHAEL
 WOODSIDE, an individual; and DOES 1
 through 50,

Defendants.

Case No.: 2:24-cv-00673-GMN-BNW

**STIPULATION AND ORDER TO STAY
 ALL DEADLINES**

AND

**STIPULATION AND ORDER GRANTING
 EXTENSION OF TIME TO FILE
 OPPOSITION AND REPLY BRIEF TO
 REMOVING DEFENDANTS MOTION TO
 DISMISS**

(FIRST REQUEST)

Under LR IA 6-1 and 6-2 and LR 7-1, Plaintiff Melissa Hutchison aka Phoenix Marie (“Plaintiff”) and defendants Frank Petosa, Ryan Hogan, and Michael Woodside (“Removing Defendants”), by and through their attorneys, hereby agree and stipulate to the following:

1. On February 15, 2024, Plaintiff filed a Complaint in the Eighth Judicial District Court, Case No. A-24-887250-C, naming twelve defendants, including the Removing Defendants.
2. On April 5, 2024, the Removing Defendants filed a Notice of Removal to this Court. [ECF No. 1].

1 3. The Removing Defendants served Notice of Removal on Plaintiff's counsel on
2 April 9, 2024.

3 4. On May 3, 2024, Plaintiff filed her First Amended Complaint ("FAC"). [ECF No.
4 9].

5 5. On May 31, 2024, the Removing Defendants accepted service of the summons and
6 complaint. [ECF No. 12].

7 6. On July 1, 2024, the Removing Defendants filed their Motion to Dismiss the FAC.
8 [ECF No. 13].

9 7. Therein, the Removing Defendants made several jurisdictional arguments. *See id.*

10 8. On July 2, 2024, the Court issued its minute order regarding discovery plan and
11 scheduling order. [ECF No. 14].

12 9. The Parties have met and conferred regarding the Removing Defendants' Motion
13 and they each agree that the matter meets Nevada's three-part requirement for a stay to all
14 deadlines in this matter pending the outcome of the Motion. *See Kor Media Grp. LLC v. Green*,
15 294 F.R.D. 579, 581 (D. Nev. 2013); *see also Turner Broad Sys., Inc. v. Tracinda Corp.*, 175
16 F.R.D. 554, 555-56 (D. Nev. 1997).

17 10. As such, the Parties stipulate and agree to stay all statutory and procedural deadlines
18 under Nevada law, the Fed. R. Civ. P., and the Court's local rules as to the Removing Defendants
19 until the Court resolves the pending motion to dismiss.

20 11. In addition to stipulating and agreeing to stay all deadlines, the Parties stipulated
21 and agreed to a 14-day extension (i.e., July 26, 2024) for Plaintiff to file an opposition to the
22 Removing Defendants Motion.

23 12. The Parties likewise stipulated and agreed to 21-day extension (i.e., August 23,
24 2024) for the Removing Defendants to file their reply brief.

25 13. This is the first request to extend the deadline for Plaintiff to oppose the Removing
26 Defendants' motion to dismiss and this is the first request to extend the deadline for the Removing
27 Defendants reply brief to Plaintiff's opposition.

28 ///

14. These requests for extensions of time is not intended to cause any delay or prejudice any party.

Dated this 12th day of July, 2024.

McDONALD CARANO LLP

**KERR SIMPSON ATTORNEYS AT
LAW**

By: /s/ Rory T. Kay
Rory T. Kay (NSBN 12416)
John A. Fortin (NSBN 15221)
2300 West Sahara Avenue, Suite 1200
Las Vegas, Nevada 89102

By: /s/ George Robinson
P. Sterling Kerr, Esq. (NSBN 3978)
George E. Robinson (NSBN 9667)
2900 W. Horizon Ridge Pkwy. Suite 200
Henderson, Nevada 89052

*Attorneys for Defendants Frank Petosa, Ryan
Hogan, and Michael Woodside*

*Attorneys for Plaintiff Melissa Hutchison aka
Phoenix Marie*

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: 7/15/2024

McDONALD CARANO

2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102
PHONE 702.873.4100 • FAX 702.873.9966